

Remarks

Favorable reconsideration of this application is requested in view of the following remarks. For the reasons set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited references.

The non-final Office Action dated September 12, 2006 indicated that claims 13 and 16-26 stand rejected under 35 U.S.C. § 102(e) over Henn (U.S. Pat. No. 5,770,844).

Applicant notes that claim 27 is also pending, as is consistent with the Response to Restriction Requirement filed on June 6, 2006 and as affirmed via telephone by the Examiner on September 15, 2006. While the Office Action is silent regarding the status of claim 27, Applicant has addressed the Section 102 rejections with the understanding that the traversal and corresponding argument would also apply to any corresponding Section 102 rejection of claim 27.

Applicant further notes that claims 14-15 are identified above as having been “withdrawn” by the examiner in the preceding listing of the claims. This indication is consistent with the Restriction Requirement and the Examiner’s affirmation.

Applicant traverses the Section 102(e) rejections because the Office Action fails to provide any correspondence between the cited ‘844 reference and each of the claimed limitations. In rejecting all of the claims over the ‘844 reference, the Office Action simply recites claim 13 of the instant invention, and follows the recitation with a statement indicating “see summary of the invention, column 2 lines 40- column 5 line 54.” No further explanation of the rejection is provided; the rejection offers no explanation as to which portions of the summary correspond to the different limitations in claim 13, and no explanation as to how the ‘844 reference corresponds to any limitations in the other pending claims 16-27.

In view of the above, the Section 102 rejection fails to explain where the claimed limitations are taught in a manner consistent with 35 U.S.C. §132. Without such explanation and showing, there is no correspondence between the cited reference and the claimed limitations and is thus unable to adequately respond to the rejections.

In an attempt to ascertain any correspondence between the ‘844 reference and the claimed limitations, Applicant has briefly reviewed the ‘844 reference but cannot

ascertain any subject matter that corresponds to the limitations in each of the independent claims (and, correspondingly, in each of the claims that depend therefrom). Generally, the '844 reference appears to be directed to a chip card-based transaction involving the use of a chip card by a transaction provider (*e.g.*, consumer) at a transaction receiver (*e.g.*, merchant), with separate data provided to a third party (*e.g.*, bank) from each of the chip card and the transaction receiver. This separately-provided data is generated by the transaction receiver on a transaction-by-transaction basis, during the performance of a transaction, and involves the generation of a transaction ID at the transaction receiver, which is provided to the transaction provider. In turn, the transaction provider and receiver each provide the generated data to the third party for completion of the transaction. The third party receives and uses the transaction-specific data separately received from each of the transaction provider and receiver to approve the transaction to which the provided data applies. See, for example, column 3, lines 52-62 and column 4, line 40 – column 5, line 7 of the '844 reference.

In this regard, the '844 reference does not appear to disclose any subject matter relating to claimed limitations including, for example, validating transactions involving services provided from a vendor and subvendor as processed by a merchant-offering provider. Furthermore, the '844 reference does not disclose subject matter corresponding to the use of transaction information generated prior to processing, and to the use of data maintained relative to an authorized profile list criterion by a computer arrangement that further processes the transaction information by determining whether the transaction information satisfies the authorized profile list criterion. For instance, the '844 reference appears limited to a transaction approach that uses transaction-specific data that is generated *after* the transaction is initiated, and that must further include a transaction identifier that is generated by the transaction receiver (merchant) (*see, e.g.*, column 3, lines 25-27 and column 4, lines 42-47). Moreover, any auditing of transaction participants in the '844 reference uses information that must be transmitted during the execution of the transaction (*see, e.g.*, column 3, lines 53-62), which facilitates an object of the '844 reference directed to maintaining the anonymity of the transaction provider (purchaser) (*see, e.g.*, column 5, lines 19-25). Therefore, the '844 not only fails to correspond to the claimed limitations, it appears to teach away from the same.

In view of the remarks above, Applicant believes that the rejections have been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is encouraged to contact the undersigned at (651) 686-6633.

Respectfully submitted,

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